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March 8, 2001

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

HENRY NARANJO and
MARLENE RAMIREZ,

Plaintiff(s),

vs.

STEPHEN BYRON SMITH, and
PALMER JOHNSON, INC.

Defendant(s).

CASE NO.: 00-6022-CIV-LENARD
MAGISTRATE JUDGE TURNOFF.

MOTION TO CHANGE MEDIATION DATE

Come now the Plaintiffs, HENRY NARANJO and MARLENE RAMIREZ, by and through undersigned counsel, and hereby file this motion to change the mediation date from March 12, 2001 to May 18, 2001, and state as follows:

1. Pursuant to the pretrial order dated April 11, 2000, this matter has been set for trial for the two-week calendar commencing November 12, 2001. The pretrial order further states that the mediation shall be completed by October 11, 2001.
2. On May 24, 2000, Plaintiffs filed a Notice of Scheduling Mediation for March 12, 2001, with Thomas Backmeyer of Florida Mediation Group, Inc. On June 6, 2000, the Court entered an order approving this mediation date. (See Composite Exhibit "A" attached hereto).

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MAGISTRATE JUDGE TURNOFF**

3. Recently, the appointed mediator, Thomas Backmeyer, informed the parties that he is not available for the mediation scheduled for March 12, 2001.
4. The parties have secured a new mediation for May 18, 2001, with Murray Meyerson, Esq., of Florida Mediation Group, Inc. A copy of the Notice of Change of Mediation Conference is attached hereto as Exhibit "B."
5. This new mediation date has been coordinated with the calendars of all counsel involved in this matter.

WHEREFORE, the Plaintiffs respectfully request this Honorable Court to enter a new order scheduling mediation to be held with Murray Meyerson, Esq., of Florida Mediation Group, Inc., on May 18, 2001, at 10:30 a.m. A proposed order is attached for the court's convenience.

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that a true and correct copy of the foregoing Motion for Change of Mediation Date was mailed this 16th day of March, 2001, to:

John D. Kallen, Esquire
Badiak, Will & Kallen
Counsel for Stephen Byron Smith
17071 West Dixie Highway
North Miami Bch, FL 33160
Tel: 305/945-1851; Fax: 305/944-8780

David L. Weber, Esquire (Wisc. Bar No. 1010749)
Pinkert Law Firm LLP
Co-Counsel for Palmer Johnson, Inc.
454 Kentucky Street
Sturgeon Bay, Wisconsin 54235-0089
Tel: 920/743-6505


**CASE NO.: 00-6022-CIV-LENARD
MAGISTRATE JUDGE TURNOFF**

Frank J. Sioli, Esq. (Fla Bar No. 9652)
Valle & Craig, P.A.
Counsel for Palmer Johnson, Inc.
80 SW. 8th Street, Suite 2520
Miami, FL 33130
Tel: 305/373-2888

Respectfully submitted,

BLANCK & PERRY, P.A.
Co-Counsel for Plaintiffs
5730 S.W. 74th Street, Suite 700
Miami, Florida 33143
Tel: 305/663-0177; Fax: 305/663-0146

BY:


F. DAVID FAMULARI, ESQUIRE
Fla. Bar No. 0860506

COMPOSITE EXHIBIT "A"

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5-25-00

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CLERK OF COURT
S.D. OF FLA. - MIA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

HENRY NARANJO and
MARLENE RAMIREZ,

CASE NO.: 00-6022-CIV-LENARD
MAGISTRATE JUDGE TURNOFF

Plaintiff(s),

vs.

STEPHEN BYRON SMITH,

Defendant(s).

_____ /

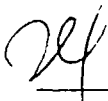
NOTICE OF SCHEDULING MEDIATION

COME NOW the Plaintiffs, HENRY NARANJO and MARLENE RAMIREZ, by and through their undersigned counsel, and pursuant to Federal Rules of Civil Procedure 16(C)(9) and Southern District Local Rule 16.2, file the attached Mediation Order and states as follows:

1. The parties have agreed to use Thomas Bachmyer and have scheduled a mediation conference for March 12, 2001 at Miami, Florida.

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that a true and correct copy of the foregoing was mailed this



_____ day of May, 2000, to:



Case No. 00-6022-CIV-LENARD

John D. Kallen, Esquire
Badiak, Will & Kallen
Attorneys for Stephen Byron Smith
17071 West Dixie Highway
North Miami Bch, FL 33160
Tel: 305/945-1851
Fax: 305/944-8780

Respectfully submitted,

LAW OFFICES OF JOHN W. BURKE, P.A.
Manuel Valdes, Esquire
Fla. Bar No. 13307
Co-Counsel for Plaintiff
Suite 330, Ocean Bank Building
782 N.W. 42nd Avenue
Miami, FL 33126
Tel: 305/858-6000 Fax: 305/445-0404

and

UNDERWOOD, KARCHER & KARCHER, P.A.
F. David Famulari, Esquire
Co-Counsel for Plaintiff
6th Floor, Grove Plaza Building
2900 S. W. 28th Terrace
Miami, Florida 33133
Tel: 305/446-2300 Fax: 305/ 446-5858

BY:



F. DAVID FAMULARI, ESQUIRE
FLA. BAR NO. 0860506

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 00-6022-CIV-LENARD/TURNOFF

HENRY NARANJO and MARLENE
RAMIREZ,

Plaintiff(s),

vs.

STEPHEN BYRON SMITH,

Defendant(s).

_____ /

ORDER SCHEDULING MEDIATION

The mediation conference in this matter shall be held with THOMAS BACKMEYER, of
Florida Mediation Group on March 12, 2001 at 10:30a.m., at
Miami, Florida.

Within five (5) days following the mediation conference, the mediator shall file a Mediation Report indicating whether all required parties were present. The report shall also indicate whether the case settled (in full or in part), was continued with the consent of the parties, or whether the mediator declared an impasse.

DONE AND ORDERED at Miami, Florida, this ____ day of May, 2000.

JOAN A. LENARD
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 00-6022-CIV-LENARD/TURNOFF

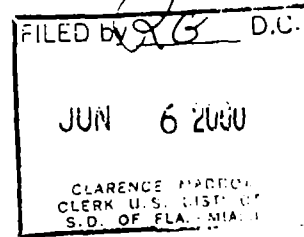
HENRY NARANJO and MARLENE
RAMIREZ,

Plaintiff(s),

vs.

STEPHEN BYRON SMITH,

Defendant(s).

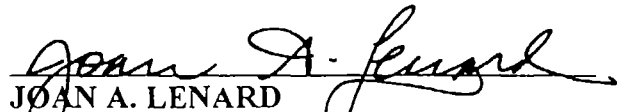


ORDER SCHEDULING MEDIATION

THE MEDIATION CONFERENCE in this matter shall be held with Thomas Bachmeyer of Florida Mediation Group, on March 12, 2001, at 10:30 a.m. in Miami, Florida.

Within five (5) days following the mediation conference, the mediator shall file a Mediation Report indicating whether all required parties were present. The report shall also indicate whether the case settled (in full or in part), was continued with the consent of the parties, or whether the mediator declared an impasse.

DONE AND ORDERED at Miami, Florida, this 6 day of June, 2000.


JOAN A. LENARD
UNITED STATES DISTRICT JUDGE

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Case No. 00-6022-CIV-LENARD/TURNOFF

Copies furnished to:

Magistrate Judge William C. Turnoff

F. David Underwood, Esq.
Underwood, Karcher & Karcher, P.A.
9th Floor, Grove plaza Building
2900 SW 28th Terrace
Miami, FL 33133

Manuel Valdes, Esq.
Law Offices of John W. Burke, P.A.
Suite 330, Ocean Bank Building
782 NW 42nd Avenue
Miami, FL 33126

John D. Kallen, Esq.
Badiak, Will & Kallen
17071 West Dixie Highway
North Miami Beach, FL

Shawn B. McKamey, Esq.
Billing, Cochran, Heath, et al.
888 SE 3rd Avenue, Suite 301
Ft. Lauderdale, FL 33316

EXHIBIT "B"

CASE NO. : 00-6022-CIV-LENARD

HENRY NARANJO

Plaintiff(s),

vs.

STEPHEN BYRON SMITH

NOTICE OF CHANGE
OF
MEDIATION CONFERENCE

Defendant(s).

DATE AND TIME: 05/18/2001 Friday 10:30 A.M.

LOCATION: Florida Mediation Group
28 West Flagler Street, Tenth Floor
Miami, Florida 33130
305-579-9990

MEDIATOR: Certified Mediator / Florida Mediation Group, Inc.
Judge Murray Meyerson (Ret.)
The mediator is a neutral and may not act as an
advocate for any party.

SUMMARY: The parties are requested to present a SUMMARY of
facts and issues to the Mediator ten days prior to
the scheduled Mediation Conference.

NOTICE: Please notify FLORIDA MEDIATION GROUP immediately of
any scheduling problems and mail or fax copies of any
pleadings which may impact or affect the mediation.

ALLENE D. NICHOLSON, ESQ.
FLORIDA MEDIATION GROUP, INC.
Courthouse Plaza, Suite 1010
28 West Flagler Street
Miami, Florida 33130
(305) 579-9990 FAX 579-9991
FMG File No.: 0-41125

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FMG FILE NO. : 0-41125
PLAINTIFF : NARANJO

Copies on 03-02-2001 to:

F. David Famulari, Esq.
305-663-0177 Fax 305-663-0146

Manuel F. Valdes, ESQ.
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John D. Kallen, Esq.
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